

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Milon et al.
Appl. No.: 10/566,285
Conf. No.: 5168
Filed: January 27, 2006
Title: CONTROLLED DELIVERY OF CAFFEINE FROM HIGH-CAFFEINATED
COFFEE BEVERAGES MADE FROM SOLUBLE POWDER
Art Unit: 1761
Examiner: Unknown
Docket No.: 112701-672

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Sir:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited on the enclosed PTO-1449 form be made during the course of examination of the above-identified application for United States patent. Pursuant to 37 C.F.R. 1.98, copies of any cited foreign patent documents and non-patent documents are enclosed.

This Information Disclosure Statement is submitted:

- ☒ [X] Within three months of filing of a national application; within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a Request for Continued Examination.
- ☐ [] After the period specified above, but before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application and is accompanied by one of:
 - ☐ [] Payment of the fee set forth in 37 CFR 1.17(p); or
 - ☐ [] The certification specified in 37 CFR 1.97(e) follows.
- ☐ [] After the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application and is accompanied by the fee set forth in 37 CFR 1.17(p) and the certification specified in 37 CFR 1.97(e) follows.

- ☐ [] The undersigned counsel for applicant(s) hereby certifies each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ [] The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☒ [X] A copy of a Search Report from a corresponding foreign patent application is enclosed.
- ☐ [] A check in the amount of \$180 to cover the required fee is enclosed.
- ☐ [] The Commissioner is hereby authorized to charge the amount of \$180 to cover the required fee to Deposit Account No. 02-1818.
- ☒ [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Robert M. Barrett
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Dated: November 13, 2006

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/006106

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A23F5/24 A23L2/39 B65D81/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A23F A23L B65D A23G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, FSTA, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	GB 124 309 A (CROFT JOHN PAGE) 27 March 1919 (1919-03-27) claim 1	1-19
A	US 6 413 558 B1 (BLUMENSTEIN-STAHL GABRIELLE ET AL) 2 July 2002 (2002-07-02) claims 21,23	1-19
A	GB 2 285 578 A (LEA LEILANI) 19 July 1995 (1995-07-19) claims 12,13,16	1-19
A	WO 99/61038 A (KROTZER R DOUGLAS ; ADAMS FOOD LTD (US)) 2 December 1999 (1999-12-02) claims 1,2,31	1-19
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

13 October 2004

Date of mailing of the international search report

22/10/2004

Name and mailing address of the ISA

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Groh, B

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/006106

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	DE 38 21 374 A (NOLDE SYLVIA) 18 January 1990 (1990-01-18) claim 1	1-19
A	FR 2 039 157 A (MARLAN SL) 15 January 1971 (1971-01-15) claims 1,2,5	1-19

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/006106

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
GB 124309	A	27-03-1919	NONE	
US 6413558	B1	02-07-2002	AT 237958 T AU 6107100 A BR 0012620 A CA 2375980 A1 CN 1390096 T DE 60002331 D1 DE 60002331 T2 EP 1196050 A1 ES 2193976 T3 JP 2004500031 T MX PA02000681 A WO 0105253 A1	15-05-2003 05-02-2001 02-04-2002 25-01-2001 08-01-2003 28-05-2003 19-02-2004 17-04-2002 16-11-2003 08-01-2004 30-08-2002 25-01-2001
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WO 9961038	A	02-12-1999	AU 4217499 A WO 9961038 A1	13-12-1999 02-12-1999
DE 3821374	A	18-01-1990	DE 3821374 A1	18-01-1990
FR 2039157	A	15-01-1971	FR 2039157 A7	15-01-1971